

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

SAMSON OIL AND GAS USA., INC.
a Colorado corporation

Plaintiff,

vs.

XTO ENERGY INC., a Delaware
corporation,

Defendant.

CV 20-54-BLG-SPW

CONSENT DECREE

Plaintiff Samson Oil and Gas USA, Inc. (“Samson” or “Plaintiff”) filed this action asserting claims and seeking recovery from Defendant XTO Energy Inc. (“XTO” or “Defendant”) for both an accounting and payments owed to Samson related to proceeds from the sale of production from the State 11X-36RH Well, API No. 25-083-22758-00-00. XTO responded and asserted its own counterclaims, seeking to recover from Samson amounts owed related to the costs to drill, complete and otherwise operate the following oil and gas wells: BN 24-17 Well, API No. 25-083-21763-00-00; BN 33X-25 Well, API No. 25-083-21174-00-00; State 2-36 Well, API No. 25-083-21747-00-00; Swigart 24X-8 Well, API No. 25-083-21151-00-00; and USA 34X-31-1 Well, API No. 33-053-00656.

The Parties now desire to avoid further litigation, inform the Court that they have reached a settlement regarding the claims asserted in this action as set forth in a Confidential Settlement Agreement and Release, and have jointly moved the Court to adopt this Consent Decree, as a final judgment binding on the parties to this action.

Upon consideration of the parties' Joint Motion to Approve Consent Decree (Doc. 44), said Motion is **GRANTED**, and by agreement of the parties and upon approval of this Court, the Court **ORDERS** and **DECREES** as follows:

1. Plaintiff Samson shall pay to XTO the amount of two hundred seventy-three thousand three hundred and seventeen dollars (\$273,317.00) ("Settlement Amount"), in equal payments of \$30,368.56, due on the 28th of each month, for the 9 months commencing on March 28, 2022.

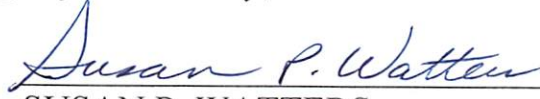
2. The Settlement Amount shall be subject to 2.00% annual interest, and there shall be no penalty for pre-payment.

3. Each party is to bear its own costs and attorneys fee in this matter.

4. Neither this Consent Decree, nor the agreed upon Confidential Settlement Agreement and Release entered into between the parties, shall constitute evidence or an admission or adjudication with respect to any allegation or claim asserted, or which could have been asserted, in this action or any admission of any liability or wrongdoing on the part of either party.

5. Upon entry of this Consent Decree, this matter shall be administratively closed, but the Court shall retain jurisdiction to enforce the terms of this Consent Decree.

ENTERED and ORDERED this 28th day of February, 2022.


SUSAN P. WATTERS
United States District Judge

APPROVED BY:

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